



Patent Docket P1829R1

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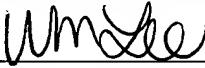
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Robert D. Mass  
Serial No.: 09/863,101  
Filed: May 18, 2001  
For: GENE DETECTION ASSAY FOR  
IMPROVING THE LIKELIHOOD OF  
AN EFFECTIVE RESPONSE TO AN  
ERBB ANTAGONIST CANCER  
THERAPY

Group Art Unit: 1642  
Examiner: Laura B. Goddard  
Confirmation No: 9233  
CUSTOMER NO: 09157

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 20, 2006



Wendy M. Lee

NOTICE OF APPEAL

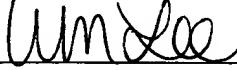
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated Final Office Action, of the Primary Examiner finally rejecting claims 21 and 26-31.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$500 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Notice is enclosed for this purpose.

Respectfully submitted,  
GENENTECH, INC.

Date: October 20, 2006  
By:   
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10/24/2006 AWONDAF1 00000010 070630 09863101

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